

No. 22  
STATE OF MICHIGAN  
**Journal of the Senate**  
101st Legislature  
REGULAR SESSION OF 2021

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Senate Chamber, Lansing, Thursday, March 11, 2021.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present  
Ananich—present  
Barrett—present  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present

Hollier—excused  
Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
MacDonald—present  
McBroom—present  
McCann—present  
McMorrow—excused  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Senator Rosemary Bayer of the 12th District offered as an invocation “Eagle Poem” by Joy Harjo, 2019 United States Poet Laureate.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

Senator Santana entered the Senate Chamber.

### **Motions and Communications**

Senator Geiss entered the Senate Chamber.

Senator Chang moved that Senators Moss and Ananich be temporarily excused from today’s session. The motion prevailed.

Senator Chang moved that Senators McMorro and Hollier be excused from today’s session. The motion prevailed.

Senator Moss entered the Senate Chamber.

Senator Lauwers moved that Senator Barrett be temporarily excused from today’s session. The motion prevailed.

The following communications were received and read:  
Office of the Auditor General

March 4, 2021

Enclosed is a copy of the following report:

- Performance audit report on the Clean Michigan Initiative Environmental Protection Programs, Department of Environment, Great Lakes, and Energy (761-0217-20).

March 5, 2021

Enclosed is a copy of the following report:

- Report on Internal Control, Compliance, and Other Matters Michigan State Employees’ Retirement System, Fiscal Year Ended September 30, 2020 (071-0151-21).

Sincerely,  
Doug Ringler  
Auditor General

The audit reports were referred to the Committee on Oversight.

### **Recess**

Senator Lauwers moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:05 a.m.

10:51 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

During the recess, Senators Ananich and Barrett entered the Senate Chamber.

### **Messages from the House**

#### **Senate Bill No. 29, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 21f, 31n, and 167 (MCL 388.1611, 388.1621f, 388.1631n, and 388.1767), sections 11 and 31n as amended by 2020 PA 165, section 21f as amended by 2020 PA 147, and section 167 as amended by 2013 PA 122, and by adding sections 11n, 11o, 11r, 23b, 23c, 23d, and 104a.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 11 (MCL 388.1611), as amended by 2021 PA 3, and by adding sections 11o and 23d.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 114, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pursuant to rule 3.202, the bill was laid over one day.

**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 106, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 73102, 73104, and 73105 (MCL 324.73102, 324.73104, and 324.73105), section 73102 as amended by 1998 PA 546 and sections 73104 and 73105 as added by 1995 PA 58.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 47**

**Yeas—20**

Barrett	Johnson	Nesbitt	Stamas
Bizon	LaSata	Outman	Theis
Bumstead	Lauwers	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn

**Nays—14**

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	Moss	Wojno
Brinks	Hertel		

**Excused—2**

Hollier	McMorrow
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**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Introduction and Referral of Bills**

Senators McBroom, Moss, Theis and Barrett introduced

**Senate Joint Resolution F, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article VIII, to update the enumeration of public universities and to require that the meetings of governing boards of public universities are open to the public.

The joint resolution was read a first and second time by title and referred to the Committee on Education and Career Readiness.

Senator McBroom introduced

**Senate Bill No. 228, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32311, 32312, and 32512 (MCL 324.32311, 324.32312, and 324.32512), section 32311 as added by 1995 PA 59, section 32312 as amended by 2019 PA 84, and section 32512 as amended by 2012 PA 247.

The bill was read a first and second time by title and referred to the Committee on Environmental Quality.

Senators VanderWall, McBroom, Barrett, Victory, Horn, Stamas, Bumstead, Johnson, MacDonald, Runestad, Outman, Theis and Daley introduced

**Senate Bill No. 229, entitled**

A bill to amend 2000 PA 92, entitled “Food law,” by amending section 4111 (MCL 289.4111), as amended by 2016 PA 188.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senators McBroom, Barrett, Horn, Stamas, Bumstead, Johnson, Victory, MacDonald, Outman, Theis, Daley, VanderWall and Runestad introduced

**Senate Bill No. 230, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 233 and 525 (MCL 436.1233 and 436.1525), section 233 as amended by 2020 PA 126 and section 525 as amended by 2016 PA 434.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senator Irwin introduced

**Senate Bill No. 231, entitled**

A bill to provide for the official time followed in this state; and to prescribe the powers and duties of certain state agencies and officials.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators Moss and McBroom introduced

**Senate Bill No. 232, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2018 PA 68.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 233, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending sections 1, 2, 3, 4, 5, 6, 10, 10a, and 10b (MCL 15.231, 15.232, 15.233, 15.234, 15.235, 15.236, 15.240, 15.240a, and 15.240b), section 1 as amended by 1997 PA 6, section 2 as amended by 2018 PA 68, section 3 as amended by 2018 PA 523, section 4 as amended by 2020 PA 38, section 5 as amended by 2020 PA 36, section 6 as amended by 1996 PA 553, and section 10 as amended and sections 10a and 10b as added by 2014 PA 563, and by designating sections 1 to 16 as part 1.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 234, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding part 2.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators Moss and McBroom introduced

**Senate Bill No. 235, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29a and 29b.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 236, entitled**

A bill to amend 1986 PA 268, entitled “Legislative council act,” by amending section 104a (MCL 4.1104a), as amended by 2013 PA 241.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators Moss and McBroom introduced

**Senate Bill No. 237, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding section 24.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 238, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding section 25.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 239, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29c and 29d.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators Moss and McBroom introduced

**Senate Bill No. 240, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 29e and 29f.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senators McBroom and Moss introduced

**Senate Bill No. 241, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” (MCL 15.231 to 15.246) by adding sections 26, 27, 28, and 29.

The bill was read a first and second time by title and referred to the Committee on Oversight.

Senator McBroom introduced

**Senate Bill No. 242, entitled**

A bill to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 10 and 12 (MCL 46.410 and 46.412), section 12 as amended by 2013 PA 84.

The bill was read a first and second time by title and referred to the Committee on Local Government.

Senator MacDonald introduced

**Senate Bill No. 243, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 44a (MCL 211.44a), as amended by 2012 PA 184.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

**House Bill No. 4053, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2091) by adding section 104.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Transportation and Infrastructure.

**House Bill No. 4219, entitled**

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1 (MCL 780.621) as amended by 2020 PA 191.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

**House Bill No. 4220, entitled**

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1c (MCL 780.621c), as added by 2020 PA 187.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

**House Bill No. 4308, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625, 625a, 625g, and 625m (MCL 257.625, 257.625a, 257.625g, and 257.625m), section 625 as amended by 2020 PA 383 and sections 625a, 625g, and 625m as amended by 2017 PA 153.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

**House Bill No. 4309, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 33 and 48 of chapter XVII (MCL 777.33 and 777.48), as amended by 2017 PA 152.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

By unanimous consent the Senate returned to the order of  
**Resolutions**

Senator Johnson offered the following resolution:

**Senate Resolution No. 25.**

A resolution to urge the United States Congress and the President of the United States to oppose H.R. 1 and similar harmful election policy measures.

Whereas, Free and fair elections are vital to our country but only possible with prudent laws in place. Our electoral system must be safeguarded from fraud and irregularities, including laws that enhance the possibility and probability for such harms; and

Whereas, Introduced in Congress, H.R. 1 of 2021 would enshrine into law many misguided election policies. H.R. 1 would impede the maintenance of accurate voter registration lists and the enforcement of sensible voter identification standards. Additionally, the legislation would greatly enable the practice of ballot harvesting, which is currently illegal in our state. These and other provisions in H.R. 1 would greatly undermine the integrity of our elections; and

Whereas, H.R. 1 represents a massive federal overreach into state election policy. The U.S. Constitution empowers state legislatures to set election laws, and each state knows best how to conduct its elections. H.R. 1 is an unwanted and unnecessary federal power grab that infringes on state authority to administer elections and threatens local control; and

Whereas, On March 7, 2021, President Joe Biden signed an executive order that unnecessarily expands the federal government’s role in voter registration activities that are best handled by states and wrongly directs federal resources into other election matters; and

Whereas, Election reform efforts should focus on ensuring that the system is safe, secure, and fair. Citizens deserve to know that the outcome of elections are free from fraud and irregularities; now, therefore, be it

Resolved by the Senate, That we urge the United States Congress and the President of the United States to oppose H.R. 1 and similar harmful election policy measures; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was not adopted.

Senator Bizon requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The resolution was adopted, a majority of the members voting therefor, as follows:

**Roll Call No. 48**

**Yeas—20**

Barrett	Johnson	Nesbitt	Stamas
Bizon	LaSata	Outman	Theis
Bumstead	Lauwers	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn

**Nays—14**

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	Moss	Wojno
Brinks	Hertel		

**Excused—2**

Hollier	McMorrow
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**Not Voting—0**

In The Chair: President

**Protests**

Senators Chang, Polehanki, McCann, Bullock, Brinks, Santana, Moss, Alexander, Wojno, Geiss, Ananich and Bayer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 25.

Senators Chang and Geiss moved that the statements they made during the discussion of the resolution be printed as their reasons for voting “no.”

The motion prevailed.

Senator Chang’s statement, in which Senators Polehanki, McCann, Bullock, Brinks, Santana, Moss, Alexander and Wojno concurred, is as follows:

This resolution calls the election policies in H.R. 1 “misguided” when I would in fact call them sensible. We’ve talked a lot in this chamber about democratic principles and ideals. There is no more important principle or goal than ensuring voting rights. Our goal should be to increase voter engagement and election security, which is actually what H.R. 1 does.

H.R. 1 ensures that more Americans will be registered to vote. H.R. 1 modernizes election systems by ensuring online options for corrections or cancellations. H.R. 1 ensures that people across the country who have completed their felony sentences are able to vote, which is law as you know in Michigan, and should be the law everywhere. H.R. 1 provides funds to modernize voter registration. H.R. 1 provides funding to ensure greater access to voting for people with disabilities. H.R. 1 prohibits providing false information about elections to discourage voting. And we know that has happened here in Michigan in our communities of color in my district and yours with robocalls to mislead thousands of voters. H.R. 1 requires states to track and confirm receipt of absentee ballots and makes this information available to those casting their ballots by mail. H.R. 1 ensures that individuals will be notified if their polling places change.

This resolution says that H.R. 1 would “undermine the integrity of our elections,” when, in fact, the provisions in H.R. 1 would greatly enhance and improve the integrity and trust in our elections. These are all commonsense policy changes that are actually long overdue. These are changes that we should be applauding. So I hope that we can work together to improve our election processes in Michigan and across the country rather than attacking the solid policy changes at the federal level.

Senator Geiss’ statement, in which Senators Bullock, Santana, Ananich and Bayer concurred, is as follows:

It’s interesting because I don’t know how many folks realize that this past Sunday was the anniversary of Bloody Sunday, the day that John Lewis and other civil rights leaders marched across the Edmund Pettus Bridge to do what? A march for voting rights. And here we are today with this resolution that is the antithesis of that spirit.

Senate Resolution No. 25 seeks to urge Congress and the President to oppose H.R. 1 and “similar harmful”—in finger-quotes—“election policy measures.” This resolution seeks to oppose H.R. 1 which is called the For the People Act. For the people. This resolution states up front that it is against the people. The



people doing what? Voting and being able to exercise their right to vote in fair and free elections. Based upon this resolution's opening sentence about "similar harmful election policy measures," it can only be inferred that it also seeks to have Congress and the President oppose what was H.R. 4 in the 116th Congress, more commonly known as the John Lewis Voting Rights Act.

H.R. 1, for those unfamiliar, states in summary that it addresses voter access, election integrity and security, and campaign finance and ethics for the three branches of government. Specifically, H.R. 1 expands voter registration, things like automatic and same-day registration, voting access, things like vote-by-mail and early voting, and it also limits removing voters from voter rolls.

H.R. 1 requires states to establish independent redistricting commissions—sound familiar?—to carry out congressional redistricting. Additionally, it sets forth provisions related to election security including sharing intelligence information with state election officials, supporting states in securing their election systems, developing a national strategy to protect United States democratic institutions, establishing in the legislative branch the National Commission to Protect United States Democratic Institutions, and other provisions to improve the cybersecurity of election systems.

Further, H.R. 1 addresses campaign finance. It also addresses ethics in all three branches of government. How on earth can we possibly say we want Congress and the President to oppose these things? The John Lewis Voting Rights Act would implement a new pre-clearance formula that was stripped from the Voting Rights Act in the 2015 *Shelby County v. Holder* Supreme Court decision. The John Lewis Voting Rights Act would expand the time period in which election observers can be sent by the Department of Justice. It would increase transparency provisions required in jurisdictions to provide notice of voting changes within 180 days of federal elections and give notice of changes in polling places within 30 days of federal elections. It would allow for private right to action, expanding what the Voting Rights Act emphasizes which was right of action from attorneys general and other election officials.

In 2020 we saw record turnout. This year, in the first quarter of 2021 alone, 250 bills in 43 states have been introduced to restrict voting rights. It's unconscionable that after in 2018 Michigan's voters overwhelmingly approved expanding voting rights with Proposals 2 and 3, that this body—or any legislature—but this body in particular would move to urge Congress and the President to restrict access to the ballot, would make it more difficult for people to vote.

This resolution is not prudent; it is burdensome. This resolution is not about safeguarding from voter fraud and irregularities; it's about trying to keep people of color from voting. Let me remind everyone to recall the antics and theatrics of November 4 at the TCF Center and what happened when certain members of the Wayne County Board of Canvassers only wanted to discount the votes of a majority-Black community.

This resolution—Senate Resolution No. 25—is the furthest thing from being about election integrity and has everything to do with voter suppression which is fundamentally, patently, and unequivocally wrong. I urge a resounding "no" vote on this shameful resolution which is an act of voter suppression.

Senator Johnson asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Johnson's statement is as follows:

I rise today to support the adoption of Senate Resolution No. 25 which urges Congress and the President to oppose the passage of H.R. 1, federal legislation that would undermine the integrity of our elections and which represents an unprecedented intrusion of the federal government into the sanctity of state election processes designed to ensure our citizens have the right to participate in elections that are safe, secure, and fair.

Among other things, H.R. 1 would severely limit or even eliminate the ability of states to prescribe reasonable measures to verify the identity of the voter. H.R. 1 would also cripple longstanding practices to keep our voter rolls clean by prohibiting election officials from using systems such as the United States Postal Service's National Change of Address database as well as the Interstate Cross Check System such as the Electronic Registration Information Center—or ERIC—with which the state currently participates to identify individuals who may no longer live or reside at the address at which they are registered. H.R. 1 is a solution to a problem that does not exist in Michigan. While I was Secretary of State, we were named one of the best states in the country at getting eligible people registered to vote, and in the recent November 2020 election we saw record turnout and voter participation in our state.

H.R. 1 is an unnecessary and reckless federal overreach that would eliminate safeguards against cheating and erode the public's confidence in our democracy. It would strip away local control and jeopardize the integrity of our elections. I urge my colleagues to join me in supporting Senate Resolution No. 25.

Senator Stamas offered the following resolution:

**Senate Resolution No. 26.**

A resolution to authorize the Senate Majority Leader to commence legal action, on behalf of the Senate, defending the enforceability and constitutionality of Public Act 2 of 2021 and Public Act 3 of 2021.

Whereas, The power to appropriate moneys is solely vested in the Legislature; and

Whereas, On March 9, 2021, Governor Gretchen Whitmer approved Enrolled House Bill No. 4047 (Public Act 2 of 2021) and Enrolled House Bill No. 4048 (Public Act 3 of 2021), appropriating supplemental funds for Fiscal Year 2021, but vetoed certain line items; and

Whereas, The appropriation of certain funds within Public Act 2 and Public Act 3 of 2021 are conditioned on the enactment of Senate Bill No. 1 and House Bill No. 4049; and

Whereas, On March 9, 2021, Governor Whitmer vetoed Enrolled House Bill No. 4049. Governor Whitmer has indicated that she will veto Senate Bill No. 1 as well; and

Whereas, Any attempt by Governor Whitmer to expend moneys that she vetoed without further legislative approval or expend certain funds without the enactment of Senate Bill No. 1 or House Bill No. 4049 would be contrary to both law and Michigan’s constitutional system; and

Whereas, Members of the Michigan Senate must defend the Legislature’s role to appropriate moneys and as a co-equal branch of government in Michigan’s constitutional system; now, therefore, be it

Resolved by the Senate, That the Senate Majority Leader, in his official capacity, is authorized to commence legal action on behalf of the Senate, defending the enforceability and constitutionality of Public Act 2 of 2021 and Public Act 3 of 2021, and to take all necessary steps incidental thereto, including, but not limited to, the pursuing or defending any appeals.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Lauwers moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Senator Ananich offered the following amendment:

1. Amend page 2, line 16, following “Senate” by inserting “with legal costs not to exceed \$10,000.”.

The question being on the adoption of the amendment,

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 49**

**Yeas—14**

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	Moss	Wojno
Brinks	Hertel		

**Nays—20**

Barrett	Johnson	Nesbitt	Stamas
Bizon	LaSata	Outman	Theis
Bumstead	Lauwers	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn

**Excused—2**

Hollier	McMorrow
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**Not Voting—0**

In The Chair: President

The question being on the adoption of the resolution,  
 Senator Lauwers requested the yeas and nays.  
 The yeas and nays were ordered, 1/5 of the members present voting therefor.  
 The resolution was adopted, a majority of the members voting therefor, as follows:

**Roll Call No. 50**

**Yeas—20**

Barrett	Johnson	Nesbitt	Stamas
Bizon	LaSata	Outman	Theis
Bumstead	Lauwers	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	McBroom	Shirkey	Zorn

**Nays—14**

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	Moss	Wojno
Brinks	Hertel		

**Excused—2**

Hollier	McMorrow
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**Not Voting—0**

In The Chair: President

**Protests**

Senators Ananich, Moss, Santana, Bayer, Polehanki, Brinks, McCann, Bullock, Chang, Geiss, Alexander and Wojno, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of Senate Resolution No. 26.

Senator Ananich moved that the statement he made during the discussion of the resolution be printed as his reasons for voting “no.”

The motion prevailed.

Senator Ananich’s statement, in which Senators Moss, Santana, Bayer, Polehanki, Brinks, McCann, Bullock, Chang, Geiss, Alexander and Wojno concurred, is as follows:

Enriching lawyers because you’re unwilling to negotiate with the Governor is plain ridiculous. It is a waste of taxpayers’ dollars. Time and time again I’ve read in the media and heard individuals get up here and speak about the Governor’s unwillingness to negotiate with you. David Massaron, the State Budget Director, is literally begging to negotiate with you over these valuable federal resources that were meant to go to businesses and individuals in our state to deal with the ongoing—let me say that again, the ongoing—pandemic, whether you acknowledge it or not that is still raging across this state, across this country, and across the globe.

I’ve been in quadrant meetings basically every other week since the beginning of this term. Those have continued during this pandemic. Week after week, there’s ample opportunity to offer a plan, and week after week, none has ever been given. Multiple meetings per week about data and other meetings where there’s

given ample opportunity to express your opinions and hear information. Instead, it's the same old talking points—metrics, metrics, metrics; the Governor won't meet with us—over and over again, time and time again. But in reality, the only plan you've offered is what we're voting on today—sue, sue, sue; obstruct, obstruct, obstruct; and then talk about things that have nothing to do with what the vast majority of Michiganders care about—transgender students playing sports; Dr. Seuss, it's probably the first time many of you have ever read Dr. Seuss, I guess that's good for the publisher—but it has nothing to do with the problems that Michiganders are dealing with.

You may think what they're doing in Texas is the answer. The vast majority of Michigan people don't. I'm asking you, my colleagues, to vote this down and spend some actual time negotiating with the Governor, with her department heads, with us, as we've done in this chamber a number of times, to come up with solutions to Michigan's problems—in this term and before, we've done it. I hope we can get back to a place where we can do our job and come together and compromise. If you offer no plan and just complain, and the few things you do offer they don't take 100 percent of it, that doesn't mean they're not listening. It means they don't agree. You sit down and work out a compromise. That's how adults do it. I'd ask that we act like adults and act like we compromise on something that's extremely important. We've seen it happen time and time again when we want to do it. I think now is the time for us to do it again.

Senators Ananich and Shirkey asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Ananich's statement is as follows:

The Secretary of the Senate did a great job of describing my very simple amendment. I don't know if the majority is planning on hiring outside counsel, but my amendment would cap payments to outside counsel if that is the decision. I don't see the need for the taxpayers to pay more than \$10,000 for the majority's political campaign against the Governor.

Senator Shirkey's statement is as follows:

I just want to make it clear that the citizens of this state are begging for direction and clarity as to what they have to do to get out of the lockdowns and restrictions of liberties and freedom that they've been enduring for over a year. This reduction and cascading decline of infection rates, for instance, has occurred, it began naturally, began before vaccines were even on the scene, and it continues. That's because the people of Michigan know what to do. They know what to do, and they're just waiting to be informed, inspired, encouraged, and then trusted. Right now, we're still under an environment where this Governor does not trust the citizens of Michigan to do the right thing. No business would open their doors up if allowed to be operated on their own determination of their safe capacity. No business would do so and put their employees, their customers, their suppliers, or their families at risk. But yet, we think we can do that unilaterally and prohibit them from exercising that liberty even after a year of education and understanding that has proven to work. I completely and categorically reject the notion that we haven't been trying to work together. We've asked for clarity so that the citizens of Michigan can know with certainty what they have to do to prove they can be trusted, and that has yet to be determined and yet to be presented, and it's a shame.

### Statements

Senators Chang, Moss, Nesbitt, Irwin, LaSata and Shirkey asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Chang's statement is as follows:

We've all learned even more over the past year about the important work of so many health care professionals during the COVID-19 pandemic. They provide important care to people in their time of need, and have been doing so pre-pandemic and will continue to be heroes long after the pandemic as well.

Yesterday was a national day of appreciation for abortion providers and I just wanted to take a minute to share some thoughts. These providers are doctors, advanced practice clinicians, nurses, and health center assistants who are skilled health professionals seeking to help their patients get the care they need if they have made the personal, challenging health care choice to have an abortion or require one because of an incomplete miscarriage or in vitro death.

Safe, legal abortion for those who need it is an important and necessary health service. I want to acknowledge the work of abortion providers because the work they do helps to keep Michiganders healthy and ensure that they have access to the full range of reproductive health care options. Everyone should have accurate information about all of their pregnancy options, and if they do need an abortion it should be high-quality, compassionate care. Accurate information helps support each person to make a decision for herself to take care of her health and well-being. This is a personal decision that patients make with their families and with the advice of their doctor about what is best for their health and well-being. Support for access to safe, legal abortion is at a record high—more than seven in ten Americans support this right to choose. These safe and legal procedures are done by trained, skilled health professionals.

Thank you to these providers who, even in challenging times when reproductive health care choices continue to be under attack across the country, provide critical health care services to women in their time of need.

Senator Moss' statement is as follows:

Through you, Mr. President, I'd like to give a message of affirmation and encouragement to the trans community in Michigan.

I know all too well what it's like not to be represented here and not to have your voice heard when people use their authority here in this legislative chamber and these hallowed halls of this State Capitol to make you a political punching bag and the pain and indignity that you suffer through because of it. I know all too well what it's like to have your lived experience dismissed by people who don't share it, and don't even bother to seek out opportunities for compassion and understanding of your struggles. I know all too well what it's like for people to claim that your identity is a choice that you can just simply change, as if somehow you seek out an illogical benefit to being subjected to ridicule and scrutiny of the most personal aspects of your lives.

Trans people are the most marginalized members of the LGBTQ community, and trans youth are especially vulnerable to cruelty, even from adults. While I don't directly share your journey, my journey runs parallel to yours and I will stand up to ensure your lives are valued as if they were my own. And I will take to this microphone as often as necessary—every day if I have to—as bills like Senate Bill No. 218 are introduced to afflict the underrepresented. You can count on me and so many others in this chamber who will treat you fairly and I couldn't be more motivated to do it. Because trans people are part of this Michigan story too, I'd like these remarks forever printed in our Journal.

Senator Nesbitt's statement is as follows:

Yesterday, our Governor asked Michiganders to turn on their porch lights in remembrance of those who have lost their lives over the last year due to the pandemic. This would have been a fitting tribute if not for the fact that just 24 hours earlier, she had cruelly vetoed hundreds of millions of dollars this body approved to help Michigan businesses desperately trying keep their lights on.

Of course, there was no press conference or flashy video announcing small family businesses who have been closed for the better part of a year won't be getting the help that they so desperately need. No, the veto of more than \$400 million dollars to help keep businesses open and Michiganders working was basically a footnote in her press release, even after she and many of my colleagues in this chamber had pleaded for a relief bill to be passed.

Mr. President, we hear a lot of passionate calls from the other side of the aisle in this chamber for bipartisanship and unity in facing this pandemic. And yet, after the Governor struck down relief funds that passed this body by a vote of thirty-four to one, a strong bipartisan vote of thirty-four to one, what do we hear from the other side of the aisle? I know it's been very warm this week, but it is too early for the number of crickets I've heard the past two days. Nothing. Zero. Zilch. Nada.

Mr. President, every member of this chamber who supported this assistance for businesses knows that they were not tied to any other bill. They were not conditioned on the Governor signing any other piece of legislation. No, the Governor who forced these businesses to close their doors cruelly struck down desperately-needed dollars that nearly every member of this chamber, Democrat and Republican, supported. I think that this is the third or fourth time that we've passed this kind of property tax relief for businesses that were forced to close over the last year, and she has vetoed it. And the silence in the face of that cruelty is complicity.

Senator Irwin's statement is as follows:

Colleagues, I rise to invite you to co-sponsor a resolution I have on my desk this morning to recognize Narcolepsy Awareness Day this Saturday and to name this Saturday "Suddenly Sleepy Saturday." Narcolepsy is an underrecognized and underdiagnosed condition which affects roughly 1 in 2,000 Americans which means there are 5,000 of our fellow Michiganders roughly who live with this disorder. And I ask that, if you're willing and interested, to come by my desk and co-sponsor this resolution to honor these folks and to name this Saturday "Suddenly Sleepy Saturday."

Senator LaSata's statement is as follows:

Colleagues, like you I love the people that I represent here in the Senate and am proud of their hard work and determination. I'm especially proud to represent the many multigenerational small businesses that have helped make Southwest Michigan what it is today. Sadly, over the past year, many of those businesses have been devastated by the Governor's administration's lockdowns and restrictions. I have heard from too many local restaurateurs and small business owners who were forced to close their doors. According to the Michigan Restaurant and Lodging Association, thousands of establishments have completely gone out of business. And many of them were from Southwest Michigan. For example, in my childhood hometown of Coloma, Hub Central is a little café where everybody knows your name. When the pandemic hit a year ago, they complied and shut down with an understanding that it would only be closed for two weeks. Today they are still not allowed to fully reopen. Hub Central has lost at least 25 percent of its revenue in one quarter, which amounted to roughly \$60,000. The café, like many other establishments, has had to be creative just to break even. Even then, owner Tony Bertuca had to lay off all of his wait staff, with only himself and one cook on the line, several days of only single figure sales, had him on the verge of permanent closure. Without strong support from the community, Hub Central wouldn't still be open and it barely is at that.

This is not a unique story. Just down the street and around the corner, another husband-and-wife owned and operated restaurant, called the Hot Spot, was forced to lay off their entire wait staff and now conducts operations with two people, someone to take orders and someone to cook. The Hot Spot has thrived for 19 years in downtown Coloma, but it is suffering massive financial losses and an uncertain future.

These stories are tragic, just like many we in this room have heard too often over the past 12 months. Thousands of similar establishments have suffered similar losses and have been forced to put people they care about, their employees, in the hands of a broken unemployment system. Unemployment data shows that the pandemic and Governor Whitmer's business closures have hurt Michiganders in low-wage jobs the most and at a much higher rate than the national average. But this body has not sat idly by. We have scratched and clawed for a year trying to work with the Governor, only to be rebuffed time and again. We have approved billions in relief funding only to have her veto support for the very businesses she forced closed. Earlier this week, the Governor eliminated \$300 million in grants to help businesses keep their doors open, \$150 million to ensure the state's unemployment trust fund remained solvent after record unemployment levels, \$50 million to reimburse Michigan's businesses charged licensing and inspection fees even when they were closed through not fault of their own, and \$55 million for grants to help struggling businesses with unemployment taxes.

The Governor's rhetoric once again fails to meet her reality. She claims to want to help struggling businesses suffering from her directives, yet she has kept them closed and then vetoed funding to help. To our small business owners: you deserve a Governor who cares more about you, who are hurting, and less about maintaining her political control.

Senator Shirkey's statement is as follows:

This is a follow-up to the action we took earlier in today's session on Senate Resolution No. 25. I rise to further comment on the importance of Senate Resolution No. 25, to send a clear message that Michigan—not Washington—should determine Michigan's election laws. There are actually some provisions in H.R. 1 that Michigan may like. There are actually some provisions in H.R. 1 that Michigan has already embraced and is doing. But our Founders entrusted elections to our local and state governments for a reason, and H.R. 1 tramples on that principle. Our Founders understood the value and the fundamental need to apply federalism principles to voting and that was for the purpose of acknowledging and protecting the diversity of our country. Giving the federal government more authority over our elections means the federal government will have more authority over the results of our elections, taking that away from the diversity—the natural diversity—that occurs across our great country, something I don't think my colleagues across the aisle would have been supportive of as recently as last fall. This federal opportunistic power grab is dangerous beyond measure and an assault on the very foundation that this country was built upon.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 11:

**House Bill Nos. 4053 4219 4220 4308 4309**

The Secretary announced that the following bills and resolution were printed and filed on Wednesday, March 10, and are available on the Michigan Legislature website:

**Senate Bill Nos. 215 216 217 218 219 220 221 222 223 224 225 226 227**  
**Senate Resolution No. 24**  
**House Bill Nos. 4485 4486 4487 4488 4489**

### Committee Reports

The Committee on Natural Resources reported

**Senate Bill No. 209, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2980.

With the recommendation that the bill pass.

Ed McBroom  
Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman and Schmidt

Nays: Senator McCann

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources reported

**Senate Bill No. 210, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81133 (MCL 324.81133), as amended by 2018 PA 206.

With the recommendation that the bill pass.

Ed McBroom  
Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman and Schmidt

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources reported

**Senate Bill No. 211, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82123 (MCL 324.82123), as added by 1995 PA 58.

With the recommendation that the bill pass.

Ed McBroom  
Chairperson

To Report Out:

Yeas: Senators McBroom, Bumstead, Outman and Schmidt

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources submitted the following:

Meeting held on Wednesday, March 10, 2021, at 9:15 a.m., Room 403, 4th Floor, Capitol Building

Present: Senators McBroom (C), Bumstead, Outman, Schmidt and McCann

The Committee on Finance reported

**Senate Bill No. 25, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2020 PA 65.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

Jim Runestad  
Chairperson

To Report Out:

Yeas: Senators Runestad, Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 10, 2021, at 12:00 noon, Room 403, 4th Floor, Capitol Building  
Present: Senators Runestad (C), Nesbitt, Daley, Bumstead, VanderWall, Chang and Alexander

## COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Wednesday, March 10, 2021, at 9:15 a.m., Harry T. Gast Senate Appropriations Room,  
3rd Floor, Capitol Building  
Present: Senators Shirkey (C), Stamas, Schmidt, Horn, Ananich, and Chang

## COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on Corrections and Judiciary submitted the following:

Meeting held on Wednesday, March 10, 2021, at 12:30 p.m., Room 1200, Binsfeld Office Building  
Present: Senators Bizon (C), Runestad and Hollier

## COMMITTEE ATTENDANCE REPORT

The Appropriations Subcommittee on General Government submitted the following:

Meeting held on Wednesday, March 10, 2021, at 3:00 p.m., Room 1100, Binsfeld Office Building  
Present: Senators Victory (C), Bumstead, MacDonald and Irwin

**Scheduled Meetings****Appropriations –****Subcommittees –**

**Corrections and Judiciary** – Wednesday, March 17, 11:30 a.m., or immediately following session,  
Room 1200, Binsfeld Office Building (517) 373-2768

**General Government** – Wednesdays, March 17 and March 24, 3:00 p.m., Room 1100, Binsfeld Office  
Building (517) 373-2768

**Labor and Economic Opportunity/MEDC** – Tuesdays, March 16 and March 23, 3:00 p.m.,  
Room 1200, Binsfeld Office Building (517) 373-2768

**Natural Resources and Environment, Great Lakes, and Energy** – Tuesday, March 16, 3:00 p.m.,  
Room 1100, Binsfeld Office Building (517) 373-2768

**Energy and Technology** – Tuesday, March 16, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
(517) 373-1721

Senator Lauwers moved that the Senate adjourn.  
The motion prevailed, the time being 11:42 a.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Tuesday, March 16,  
2021, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate